

Town of Milton
Town Council Workshop Meeting Minutes
April 20, 2006

Mayor Don Post called the special meeting to order.

PRESENT: Councilman Gene Dvornick
Councilman Jack Frey
Councilman Ed Harris
Mayor Don Post

ABSENT: Councilwoman Leah Betts
Councilwoman Ronda Melson

\$8000.00 acreage fee

Several months ago we voted through an \$8000.00 acreage fee and what we are looking at is now putting it into verbiage in toward the resolution for the impact fee for the acreage and into the ordinances. This really started, just to give some history, this started back in 2004 when acreage annexation fees were presented to the council. Since then, we have moved forward, it did finally, there was an approval to do the annexation impact fee and now we are looking, Councilman Dvornick had provided us a sample also our attorney, Tim Willard, provided us a sample plus we have the sample that was provided 09/03/04. It was recommended that there was an "A", "B" and "C" and our town attorney recommended the adoption of "A". What we need to do is to decide how we want to move forward, which one that we want to look at or pull some verbiage separately so we can have a concrete one for the next regular meeting. Bob Kerr: I am the first one who broached the idea of annexation fees and it came about because of bearing council desire not to raise the sewage and water impact fees so that the residences inside the town did not have an additional burden that the burden building a new plant would be more on the people who were annexing in. We also talked at that time about having different operating fees, charges for inside and outside of town. In my experience, that hasn't worked and has not been successful. The annexation fee is to collect as much money up front before most of the impact is there. Typically, you have to build things before the residents move into town, so that you have to have a treatment plan before the houses can be built. You would have the town hall facilities big enough to handle the services. That is the purpose of the fees. I remember that the council workshop that we had where we really discussed a lot of this was on 07/19/2004 and we went round and round on do we do a fee per acre or do we do some type of annexation agreement. There was a couple of things that the fee per acre created some concerns as to exactly which acreage do you use, survey acres, developable acres, do you include wet lands ? and part of the other thing we saw is that as parcels were annexed into town, there might be certain instances where the town would see benefit in being able to work with the property owner and say, we would like this parcel or a portion of it carved off to put a new tower. It might be an ideal spot for a well; it might be a spot where we need a town

right of way so we can connect in the future for other parcels to be annexed. That's how we got to the annexation agreement vs. a flat fee.

I was looking at Gene's draft that he presented and it should have been looked at and revisited on an annual basis. He has the capital improvement plan and that's where your table would be and would be tied in and is an excellent idea. What he has done instead of a table, he said these are capital improvements that the town needs and that are going to be directly related to future growth. Instead of having a table that is going to link into the capital improvement plan which can be projected over a four or five year plan. The key on defending yourself is that it is reasonable, that it is fair and that when somebody challenges it you can pull out a document that says this is what we said we were going to do, here's how we are going to use the money and here's how we calculated the individual rate. And then you will have costs associated with that. It is not important that your costs come out right it's that your best effort to come up with the fee is correct. The fact that, unfortunately, it's very difficult to estimate what it's going to cost in five years. If I tell you today it's going to cost \$5 million dollars to replace the intersection of Chandler and Berringer Avenue, it might be \$7.5 million in three years. You have to be a little careful that as you see new projects, your annexation fees would be really jumping all over the place. There's a lot to be said about stability.

Tape ended

Adjournment

6/14/05